



**United States of America  
National Labor Relations Board  
NOTICE OF ELECTION**



**INSTRUCTIONS TO EMPLOYEES VOTING BY U.S. MAIL**

**PURPOSE OF ELECTION:** This election is to determine the representative, if any, desired by the eligible employees for purposes of collective bargaining with their employer. (See VOTING UNIT in this Notice of Election for description of eligible employees.) A majority of the valid ballots cast will determine the results of the election. Only one valid representation election may be held in a 12-month period.

**SECRET BALLOT:** The election will be by secret ballot carried out through the U.S. mail under the supervision of the Regional Director of the National Labor Relations Board (NLRB). A sample of the official ballot is shown on the next page of this Notice. Voters will be allowed to vote without interference, restraint, or coercion. Employees eligible to vote will receive in the mail *Instructions to Employees Voting by United States Mail*, a ballot, a blue envelope, and a yellow self-addressed envelope needing no postage.

**ELIGIBILITY RULES:** Employees eligible to vote are those described under the VOTING UNIT on the next page and include employees who did not work during the designated payroll period because they were ill or on vacation or temporarily laid off. Employees who have quit or been discharged for cause since the designated payroll period and who have not been rehired or reinstated prior to the date of this election are not eligible to vote.

**CHALLENGE OF VOTERS:** An agent of the Board or an authorized observer may question the eligibility of a voter. Such challenge must be made at the time the ballots are counted.

**AUTHORIZED OBSERVERS:** Each party may designate an equal number of observers, this number to be determined by the NLRB. These observers (a) act as checkers at the counting of ballots; (b) assist in identifying voters; (c) challenge voters and ballots; and (d) otherwise assist the NLRB.

**METHOD AND DATE OF ELECTION**

The election will be conducted by United States mail. The mail ballots will be mailed to employees employed in the appropriate collective-bargaining unit. At 4:45 p.m. on Monday, August 3, 2020, ballots will be mailed to voters from the National Labor Relations Board, Region 16, 819 Taylor St., Room 8A24, Fort Worth, TX 76102-6107. Voters must sign the outside of the envelope in which the ballot is returned. Any ballot received in an envelope that is not signed will be automatically void. Voters must return their ballots so that they will be received in the Region 16 office by 4:45 p.m. on Monday, August 24, 2020.

Those employees who believe that they are eligible to vote and did not receive a ballot in the mail by Monday, August 10, 2020 should communicate immediately with the National Labor Relations Board by either calling the Region 16 Office at (817)978-2921 or our national toll-free line at 1-844-762-NLRB (1-844- 762-6572).

All ballots will be commingled and counted at the Region 16 Office on Thursday, August 27, 2020 at 2:30 p.m. at a location to be determined, either in person or by videoconference, after consultation with the parties, provided the count can be safely conducted on that date. In order to be valid and counted, the returned ballots must be received in the Region 16 Office prior to the counting of the ballots.



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**VOTING UNIT**

16-RC-260987

**EMPLOYEES ELIGIBLE TO VOTE:**

All road supervisors who are employed at the Employer's facility located at 817 W. Howard Lane, Austin, Texas, who were employed by the Employer during the payroll period ending July 4, 2020.

**EMPLOYEES NOT ELIGIBLE TO VOTE:**

All other employees, office clerical employees, guards, and supervisors as defined in the Act.

**THIS WILL BE A MAIL BALLOTS ELECTION:**

The election will be conducted by mail. The mail ballots will be mailed to employees employed in the appropriate collective-bargaining unit from the office of the National Labor Relations Board, Region 16 on **Monday, August 3, 2020**. Voters must return their mail ballots so that they will be received by the National Labor Relations Board, Region 16 office by close of business at **4:45 p.m. on Monday, August 24, 2020**. The mail ballots will be counted on **Thursday, August 27, 2020, at 2:30 p.m.** at a location to be determined, either in person or by videoconference, after consultation with the parties, provided the count can be safely conducted on that date and at the Regional Director's discretion.

If any eligible voter does not receive a mail ballot or otherwise requires a duplicate mail ballot kit, he or she should contact the Region 16 office at **(817) 978-2921** by no later than 4:45 p.m. on **Monday, August 10, 2020**, in order to arrange for another mail ballot kit to be sent to that employee.

**NOTE:** If a majority of valid ballots are cast for Amalgamated Transit Union, Local Union 1091, they will be taken to have indicated the employees' desire to be included in the existing unit of transportation and maintenance employees represented by the Amalgamated Transit Union, Local Union 1091 at the Employer's 818 W. Howard Lane facility located in Austin, Texas. If the majority of valid ballots are not cast for representation, they will be taken to have indicated the employees' desire to remain unrepresented.











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**INSTRUCTIONS TO EMPLOYEES VOTING BY U.S. MAIL**

**PLEASE READ CAREFULLY** "Instructions to Eligible Employees Voting by United States Mail" a copy of which will be enclosed with each ballot.

	<p><b>UNITED STATES OF AMERICA</b> <b>National Labor Relations Board</b> 16-RC-260987 <b>OFFICIAL SECRET BALLOT</b> For certain employees of <b>MTM TRANSIT D/B/A RIDE RIGHT</b></p>			
<p>Do you wish to be represented for purposes of collective bargaining by <b>AMALGAMATED TRANSIT UNION, LOCAL 1091?</b></p>				
<p><b>MARK AN "X" IN THE SQUARE OF YOUR CHOICE</b></p>				
<table border="1"><tr><td><p><b>YES</b></p><div></div></td><td><p><b>NO</b></p><div></div></td></tr></table>			<p><b>YES</b></p> <div></div>	<p><b>NO</b></p> <div></div>
<p><b>YES</b></p> <div></div>	<p><b>NO</b></p> <div></div>			
<p><b>DO NOT SIGN OR WRITE YOUR NAME OR INCLUDE OTHER MARKINGS THAT WOULD REVEAL YOUR IDENTITY. MARK AN "X" IN THE SQUARE OF YOUR CHOICE ONLY. If you make markings inside, or anywhere around, more than one square, you may request a new ballot by referring to the enclosed instructions. If you submit a ballot with markings inside, or anywhere around, more than one square, your ballot will not be counted.</b></p> <p>The National Labor Relations Board does not endorse any choice in this election. Any markings that you may see on any sample ballot have not been put there by the National Labor Relations Board.</p>				

United States of America  
National Labor Relations Board

**Instructions to Eligible Employees Voting  
By United States Mail**



**INSTRUCTIONS**

1. MARK YOUR BALLOT IN SECRET BY PLACING AN **X** IN THE APPROPRIATE BOX. DO NOT SIGN OR WRITE YOUR NAME OR INCLUDE OTHER MARKINGS THAT WOULD REVEAL YOUR IDENTITY.
2. IF YOU SUBMIT A BALLOT WITH MARKINGS INSIDE, OR ANYWHERE AROUND, MORE THAN ONE SQUARE, YOUR BALLOT WILL NOT BE COUNTED. YOU MAY REQUEST A NEW BALLOT BY CALLING THE REGIONAL OFFICE AT THE NUMBER BELOW.
3. IT IS IMPORTANT TO MAINTAIN THE SECRECY OF YOUR BALLOT. DO NOT SHOW YOUR BALLOT TO ANYONE AFTER YOU HAVE MARKED IT.
4. PUT YOUR BALLOT IN THE BLUE ENVELOPE AND SEAL THE ENVELOPE.
5. PUT THE BLUE ENVELOPE CONTAINING THE BALLOT INTO THE YELLOW ADDRESSED RETURN ENVELOPE.
6. SIGN THE BACK OF THE YELLOW RETURN ENVELOPE IN THE SPACE PROVIDED. TO BE COUNTED, THE YELLOW RETURN ENVELOPE MUST BE SIGNED.
7. DO NOT PERMIT ANY PARTY – THE EMPLOYER, THE UNION(S), OR THEIR REPRESENTATIVES, OR AN EMPLOYEE-PETITIONER – TO HANDLE, COLLECT, OR MAIL YOUR BALLOT.
8. MAIL THE BALLOT IMMEDIATELY. NO POSTAGE IS NECESSARY. For further information, call the Regional Office at: **(817) 978-2921**

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**TO BE COUNTED, YOUR BALLOT MUST REACH THE REGIONAL OFFICE**

**BY 4:45 p.m. on August 24, 2020**

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# RIGHTS OF EMPLOYEES

**Under the National Labor Relations Act, employees have the right:**

- To self-organization
- To form, join, or assist labor organizations
- To bargain collectively through representatives of their own choosing
- To act together for the purposes of collective bargaining or other mutual aid or protection
- To refuse to do any or all of these things unless the union and employer, in a state where such agreements are permitted, enter into a lawful union-security agreement requiring employees to pay periodic dues and initiation fees. Nonmembers who inform the union that they object to the use of their payments for non representational purposes may be required to pay only their share of the union's costs of representational activities (such as collective bargaining, contract administration, and grievance adjustment).

**It is the responsibility of the National Labor Relations Board to protect employees in the exercise of these rights.**

The Board wants all eligible voters to be fully informed about their rights under Federal law and wants both employers and unions to know what is expected of them when it holds an election.

If agents of either unions or employers interfere with your right to a free, fair, and honest election, the election can be set aside by the Board. Where appropriate, the Board provides other remedies, such as reinstatement for employees fired for exercising their rights, including backpay from the party responsible for their discharge.

**The following are examples of conduct that interfere with the rights of employees and may result in the setting aside of the election:**

- Threatening loss of jobs or benefits by an employer or a union
- Promising or granting promotions, pay raises, or other benefits to influence an employee's vote by a party capable of carrying out such promises
- An employer firing employees to discourage or encourage union activity or a union causing them to be fired to encourage union activity
- Incitement by either an employer or a union of racial or religious prejudice by inflammatory appeals
- Threatening physical force or violence to employees by a union or an employer to influence their votes.

**The National Labor Relations Board protects your right to a free choice**

Improper conduct will not be permitted. All parties are expected to cooperate fully with this Agency in maintaining basic principles of a fair election as required by law. The National Labor Relations Board as an agency of the United States Government does not endorse any choice in the election.



**NATIONAL LABOR RELATIONS BOARD**  
*an agency of the*  
**UNITED STATES GOVERNMENT**



United States of America  
National Labor Relations Board  
**NOTICE OF ELECTION**



**INSTRUCTIONS TO EMPLOYEES VOTING BY U.S. MAIL**

**RIGHTS OF EMPLOYEES - FEDERAL LAW GIVES YOU THE RIGHT TO:**

- Form, join, or assist a union
- Choose representatives to bargain with your employer on your behalf
- Act together with other employees for your benefit and protection
- Choose not to engage in any of these protected activities
- In a State where such agreements are permitted, the Union and Employer may enter into a lawful union-security agreement requiring employees to pay periodic dues and initiation fees. Nonmembers who inform the Union that they object to the use of their payments for nonrepresentational purposes may be required to pay only their share of the Union's costs of representational activities (such as collective bargaining, contract administration, and grievance adjustment).

**It is the responsibility of the National Labor Relations Board to protect employees in the exercise of these rights.**

The Board wants all eligible voters to be fully informed about their rights under Federal law and wants both Employers and Unions to know what is expected of them when it holds an election.

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**The following are examples of conduct that interfere with the rights of employees and may result in setting aside of the election:**

- Threatening loss of jobs or benefits by an Employer or a Union
- Promising or granting promotions, pay raises, or other benefits, to influence an employee's vote by a party capable of carrying out such promises
- An Employer firing employees to discourage or encourage union activity or a Union causing them to be fired to encourage union activity
- Making campaign speeches to assembled groups of employees on company time where attendance is mandatory, within the 24-hour period before the mail ballots are dispatched
- Incitement by either an Employer or a Union of racial or religious prejudice by inflammatory appeals
- Threatening physical force or violence to employees by a Union or an Employer to influence their votes

**The National Labor Relations Board protects your right to a free choice.**

Improper conduct will not be permitted. All parties are expected to cooperate fully with this Agency in maintaining basic principles of a fair election as required by law.

Anyone with a question about the election may contact the NLRB Office at (210)472-6140 or visit the NLRB website [www.nlrb.gov](http://www.nlrb.gov) for assistance.